

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
DUBLIN DIVISION

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.

2022 MAY 27 P 3:23

CLERK
SO. DIST. OF GA.

LEGEND BRIDGES and
KEONTAY MILLER,

Plaintiffs,

v.

CV 322-034

JERMAINE WHITE, Warden; CAPTAIN
FULLER; SERGEANT MOORE;
CERT GARNER; CERT WILCOX;
and CERT MCKENZIE,

Defendants.

ORDER

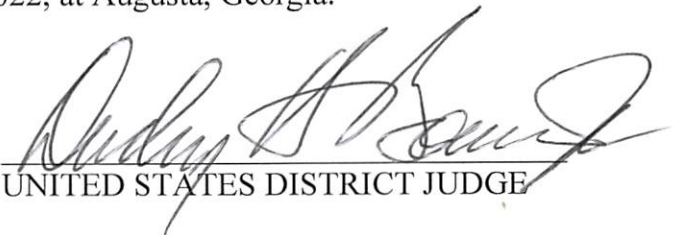
After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge as its opinion and **DISMISSES** without prejudice the above-captioned case.

The Court **DIRECTS** the **CLERK** to file this Order and the complaint in this case in a separate civil action for Plaintiff Miller, with the *nunc pro tunc* filing date of April 29, 2022. Within twenty-one days of the date the Clerk opens Plaintiff Miller's new case, Plaintiff Miller must submit a new complaint, to be filed in his new case, that is limited in scope to only those claims and defendants relevant to him individually. Plaintiff Miller must also submit his own motion to proceed *in forma pauperis* ("IFP") or pay the full filing fee within the same twenty-

one days. The Court **DIRECTS** the **CLERK** to provide Plaintiff Miller a standard form complaint used by incarcerated litigants in the Southern District of Georgia, stamped with his name and case number but otherwise blank so that he may list the defendants he intends to sue. The Court further **DIRECTS** the **CLERK** to provide Plaintiff Miller an appropriate blank IFP form, stamped with his name and case number. Failure by Plaintiff Miller to timely submit these documents shall result in dismissal of the newly opened case.

On May 16, 2022, Plaintiff Bridges submitted a new complaint and motion to proceed IFP, and the Clerk of Court opened a new case in his name. Bridges v. White, CV 322-043, doc. nos. 1, 2 (S.D. Ga. May 16, 2022). The Court granted the IFP motion and awaits Plaintiff Bridges' return of the necessary paperwork. Id., doc. no. 3. The Court **DIRECTS** the **CLERK** to file the original complaint from the above-captioned case, *nunc pro tunc* to April 29, 2022, in CV 322-043, and the Clerk shall **UPDATE** the docket to reflect the complaint filed May 16th is the amended complaint. This Order shall also be filed in CV 322-043, and that case shall proceed in the normal course of business with the May 16th amended complaint as the operative pleading.

SO ORDERED this 27th day of May, 2022, at Augusta, Georgia.


UNITED STATES DISTRICT JUDGE